

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Christopher B. Ghio (State Bar No. 259094) Christopher Celentino (State Bar No. 131688) DINSMORE & SHOHL LLP 655 West Broadway, Suite 800, San Diego, CA 92101 Telephone: 619.400.0500/Facsimile: 619.400.0501 christopher.ghio@dinsmore.com/christopher.celentino@dinsmore.com Proposed Special Counsel to Richard A. Marshack, Chapter 11 Trustee</p> <p>D. Edward Hays (State Bar No. 162507) Laila Masud (State Bar No. 311731) MARSHACK HAYS LLP 870 Roosevelt, Irvine, CA 92620 Telephone: 949.333.7777/Facsimile: 949.333.7778 ehays@marshackhays.com/ Proposed General Bankruptcy Counsel to Richard A. Marshack, Chapter 11 Trustee</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Richard A. Marshack, Ch. 11 Trustee</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</p>	
<p>In re: THE LITIGATION PRACTICE GROUP P.C.,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 8:23-bk-10571-SC CHAPTER: 11</p> <p style="text-align: center;">APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]</p>

1. Movant applies under LBR 9075-1(b) for an order setting a hearing on shortened notice on the following motion:
 - a. Title of motion: Notice/Emergency Motion for Order Authorizing Ch. 11 Trustee to Enter Into an Expense Reimbursement Agreement with Ad Hoc Committee
 - b. Date of filing of motion: 6/13/2023
2. Compliance with LBR 9075-1(b)(2)(A): (**The following three sections must be completed**):
 - a. Briefly specify the relief requested in the motion:
Richard A. Marshack, the Chapter 11 Trustee ("Trustee") for the bankruptcy estate ("Estate") of The Litigation Practice Group, P.C. ("Debtor") moves, pursuant to section 363 of Title 11 of the United States Code, for entry of an order authorizing the Trustee to enter into a post-petition expense reimbursement agreement ("Reimbursement Agreement") to pay the attorneys' fees and expenses of the Ad Hoc Committee.

- b. Identify the parties affected by the relief requested in the motion:

Potentially all creditors because Trustee proposes to incur administrative expenses.

- c. State the reasons necessitating a hearing on shortened time:

Through the efforts of Trustee and Trustee's counsel, an ad hoc committee has been formed which has hired the Pachulski Stang firm. Trustee believes the involvement of the Ad Hoc Committee in any upcoming hearings and having their insight on matters including operations issues is crucial. Trustee is proposing to engage in short-term, limited operations and to engage in a prompt sale process. In order to have input from the Ad Hoc Committee, it needs to know that it will have counsel which will be paid from the estate because such consumer clients are unable to afford experienced counsel to represent their interests. Trustee requests a hearing on this motion be held on June 20, 2023, or as soon thereafter as is convenient to the court.

3. Compliance with LBR 9075-1(b)(2)(B): The attached declaration(s) justifies setting a hearing on shortened notice, and establishes a *prima facie* basis for the granting of the motion.
4. Movant has lodged a proposed Order Setting Hearing on Shortened Notice on mandatory form F 9075-1.1.ORDER .SHORT.NOTICE

Date: 6/13/2023

MARSHACK HAYS LLP

Printed name of law firm

/s/ D. Edward Hays

Signature of individual Movant or attorney for Movant

D. EDWARD HAYS

Printed name of individual Movant or attorney for Movant

Declaration of D. Edward Hays

I, D. EDWARD HAYS, state and declare as follows:

1. I am an individual over 18 years of age and competent to make this Declaration.
2. If called upon to do so, I could and would competently testify as to the facts set forth in this Declaration.
3. The facts set forth below are true of my personal knowledge.
4. I am an attorney at law duly admitted to practice before this Court and all courts of the State of California.
5. I am a founding partner and attorney in the law firm of Marshack Hays LLP, general bankruptcy counsel for Richard A. Marshack, the duly-appointed and acting chapter 11 trustee ("Trustee") of the bankruptcy estate ("Estate") of The Litigation Practice Group, P.C. ("Debtor")
6. I make this Declaration in support of the Trustee's application for order shortening time (Application") regarding a hearing on Trustee's Emergency Motion for Order Authorizing the Chapter 11 Trustee to Enter into an Expense Reimbursement Agreement with the Ad Hoc Committee ("Motion").
7. In accordance with Rule 9075-1(b) of the Local Bankruptcy Rules ("LBR"), I file declaration and the Application concurrently with the Motion and have lodged a separate proposed order consistent with the Court approved form Order Setting Hearing on Shortened Notice.
8. For the following reasons, the hearing on the Motion should be set on shortened notice.
9. Through the efforts of Trustee and Trustee's counsel, an Ad Hoc Committee has been formed which has retained Pachulski Stang Ziehl & Jones LLP.
10. Trustee believes the involvement of the Ad Hoc Committee in any upcoming hearings and having the insight of a committee representing the interests of the consumer clients on matters including potential operations or sales of assets is crucial to his administration in this case.
11. Given the extremely fast-moving nature of this case, Trustee is requesting a hearing be held on the Motion in the afternoon of June 20, 2023.

1 12. Providing the Ad Hoc Committee with certainty that it will be able to compensate its
2 counsel is appropriate and necessary so that the firm can spend the necessary time to review issues
3 in this case and be in a position to take positions in representation of its client constituents.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed on
5 June 13, 2023.

6
7 /s/ D. Edward Hays
D. EDWARD HAYS

8 4885-5397-0280, v. 1
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(B)]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **June 13, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **June 13, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

MAIL REDIRECTED TO TRUSTEE

DEBTOR

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3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **June 13, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
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CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 13, 2023
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

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